

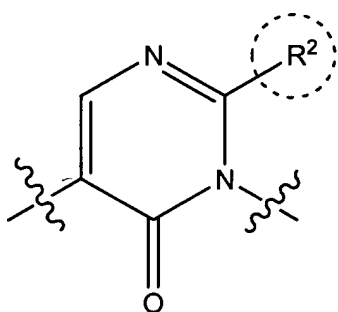
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## REMARKS

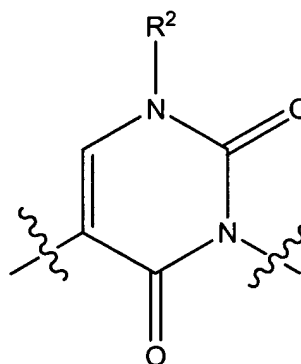
Upon entry of this Amendment B, claims 1-11, 17-19, 25-27, 33-49 and 51-107 are currently pending and under consideration. The pending claims have been amended herein to be consistent with applicants' election of the claims of Group II in the Response to Restriction Requirement filed September 9, 2004.

Applicants respectfully request reconsideration of the obviousness-type double patenting rejection in light of claims 1-25 of U.S. 6,653,316 and claims 1-25 of U.S. 6,750,342. Applicants submit herewith a terminal disclaimer to obviate the double patenting rejection based on these two references.

Applicants respectfully request reconsideration of the provisional obviousness-type double patenting rejection in light of claims 1-37 of copending application no. 10/276,171. Applicants traverse the Office's assertion that the "genus of compound embraced in the instant claims [overlaps]... those also claimed in the claims 1-37 of copending application no. 10/276,171." In fact, the claims of the present application and those of copending application no. 10/276,171 are mutually exclusive. Claim 1 of application no. 10/276,171 is directed to uracil compounds whereas the compounds of the present invention are pyrimidinone compounds. For ease of comparison, the two formulae are presented side-by-side:



**Compound of Present Invention**



**Compound of App. No. 10/276,171**

Thus, these compounds could only overlap if the R<sup>2</sup> group of the present invention is keto, which is not one of the specified options. Claim 1 defines R<sup>2</sup> to be Z<sup>0</sup>-Q.

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Regardless of the identity of  $Z^0$ , Q must be either hydrogen, phenyl or a 5- or 6-membered heteroaryl. Thus,  $R^2$  may never be an individual oxygen atom.

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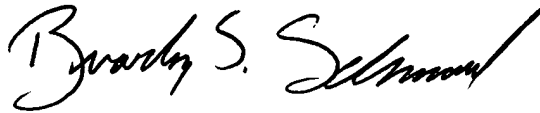
### CONCLUSION

In light of the foregoing, applicants request withdrawal of all claim rejections and solicit an allowance of the claims. The Examiner is invited to contact the undersigned attorney should any issue remain unresolved.

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Enclosed is a check for \$130.00 for the required Terminal Disclaimer fee. Applicants believe that no fees are due in connection with this response. However, if the Commissioner determines that government fees are due, the Office is hereby authorized to charge any underpayment and credit any overpayment of government fees to Deposit Account No. 19-1345.

Respectfully submitted,



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\*Attachment